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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/607,648	06/26/2003	Michael Rogerson	12194-0020	2663

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EXAMINER

INGVOLDSTAD, BENNETT

ART UNIT	PAPER NUMBER
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2609

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/607,648

Applicant(s)

ROGERSON ET AL.

Examiner

Bennett Ingvaldstad

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 June 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "518" has been used to designate both "Main Processor" and "Power Distribution." Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

2. The disclosure is objected to because of the following informalities:

[0023] "PEFC 35" should be changed to "PESC 35" to match Fig. 1.

[0023] "through TU 61A and 61B" should be changed to "through 61A and 61C" to match Fig. 1.

[0024] "PEFC 35" should be changed to "PESC 35" to match Fig. 1.

[0026] "high speed loaded" should be changed to "high speed loader".

[0027] "FMGEC 131" should be changed to "FMGEC 133" to match Fig. 2.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 5 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 5 does not refer to any previous claims, though it appears to be written in dependent form. It is unclear whether claim 5 is written in independent or dependent form.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

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only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1 and 2 are rejected under 35 U.S.C. 102(e) as being anticipated by Bastian (US 6,757,712).

Claim 1, Bastian discloses:

An aircraft communication distribution system (see Abstract), comprising:

a media controller (fig. 1, base station 90) to control the system (see e.g. col. 4, 64-67; col. 5, 1-8);

a media server (fig. 1, server 20) in communication with the media controller and configured to store media information in a digital format (col. 10, 49-52);

a web server (fig. 1, server 20) to access the worldwide web (col. 6, 32-33) in communication with the media controller;

at least one Ethernet tapping unit (fig. 9, Ethernet Hub 63) in communication with the media controller;

and

at least one Ethernet area distribution box ("router", col. 18, 23-26) in communication with the media server;

at least one display unit ("computer terminal", col. 3, 28-33) in communication with at least one of the Ethernet tapping unit and the Ethernet area distribution box.

Claim 2, Bastian further discloses:

one or more Ethernet conduits coupling components of the aircraft communication distribution system together (connections shown in fig. 9).

7. Claim 6 is rejected under 35 U.S.C. 102(b) as being anticipated by Galipeau (US 6,249,913).

Claim 6, Galipeau discloses:

An aircraft communication distribution system (see Abstract), comprising:

a media controller (fig. 9A, network controller 186) to control the system;

a media server (fig. 9A, combination of mass storage unit 190 and reproducer units 194 and 196) in communication with the media controller (fig. 9A) and configured to store media information in a digital format (col. 10, 47-67; col. 11, 1-21);

a web server (fig. 9A, internet server 192) to access the worldwide web in communication with the media controller (fig. 9A);

at least one display unit (fig. 9A, in-flight workstation 200) in communication with at least one of the media controller and the media server (fig. 9A), the display unit having at least one processor, memory device, and display screen therein (inherent; see col. 11, 35-47).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bastian (US 6,757,712) in view of Miller (US 2003/0009761).

Claim 3, Bastian, as discussed for claim 1, further discloses an Ethernet hub 63 (fig. 9).

Bastian does not specifically disclose that the Ethernet hub could be an Ethernet switch.

Miller discloses an aircraft communication distribution system (see Abstract) including an Ethernet switch (fig. 1, Ethernet Switch 22) positioned within aircraft communication distribution system.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bastian's Ethernet hub to be an Ethernet switch, as taught by Miller, for the purpose of improving the network communication by reducing 802.3 packet collisions.

10. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bastian (US 6,757,712) in view of Hinderks (US 2001/0025377)

Claim 4, Bastian, as discussed for claim 1, further discloses an Ethernet hub 63 (fig. 9).

Bastian does not specifically disclose that the Ethernet hub could be a gigabit Ethernet switch.

Hinderks discloses a communication distribution system (see Abstract) including a gigabit Ethernet switch (fig. 9, Gigabit Switch 290) positioned within the communication distribution system.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bastian's Ethernet hub to be a gigabit Ethernet switch, as taught by Hinderks, for the purpose of increasing the speed of the network communication and improving the network communication by reducing 802.3 packet collisions.

11. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wakai (US 5,973,722) in view of Galipeau (US 6,249,913).

Claim 7, Wakai discloses:

An aircraft communication distribution system (see Abstract), comprising:
a media controller to control the system (fig. 1, media controller 104);
a media server (fig. 1, media servers 106 and 108) in communication with the media controller (fig. 1, via ATM switch 116) and configured to store media information in a digital format (col. 4, 53-55);
a network of display units (fig. 1, smart video display units (SVDUs) 128 and 134 combined with displays 130, 132, and 136) in communication with at least one of the media controller and the media server (fig. 1, via system interface unit 118 and ATM switch 116) and other display units with the display unit network (fig. 1, connection between SVDUs 128 and 134), each display unit having at least one processor,

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memory device, and display screen therein (inherent; see e.g. col. 20, 50-55), wherein the network of display units forms a distributed server("a video feed through connection to another smart video display unit"; col. 20,51-52).

Wakai does not disclose a web server to access the worldwide web in communication with the media controller;

Galipeau discloses an aircraft communication distribution system (see Abstract) containing a web server (fig. 12, internet server 192) to access the worldwide web (col. 10, 58-60) in communication with the media controller (fig. 12, connection between internet server 192 and network controller 186).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the aircraft communication distribution system disclosed by Wakai to include the web server disclosed by Galipeau for the purpose of accessing the internet (Galipeau, col. 10, 58-60).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bennett Ingvoldstad whose telephone number is (571) 270-3431. The examiner can normally be reached on M-F (alternate Fridays off) 7:30-5 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hai Tran can be reached on (571) 272-7305. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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PRIMARY EXAMINER